

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

SOUTH SHORE SAVINGS BANK,  
SUCCESSOR-BY-MERGER TO SOUTH  
WEYMOUTH SAVINGS BANK,

Plaintiff,

v.

CIVIL ACTION NO. 05-11754RGS

JOEL K. LOGAN, INDIVIDUALLY AND AS  
TRUSTEE OF CRESTVIEW MANAGEMENT  
TRUST; MARY ELLEN LOGAN,  
INDIVIDUALLY AND AS TRUSTEE OF  
CRESTVIEW MANAGEMENT TRUST;  
MASSACHUSETTS DEPARTMENT OF  
REVENUE, J. GLAB, LLC AS ASSIGNEE OF  
KING DAVID TRUST; CIRELLI FOODS, INC.;  
INTERNAL REVENUE SERVICE; JONATHAN  
BASHEIN AS ASSIGNEE OF NIXON  
PEABODY, LLP; ROBERT J. GRIFFIN, ESQ.;  
THOMAS F. REILLY, ATTORNEY GENERAL  
OF THE COMMONWEALTH OF  
MASSACHUSETTS; THE COMMONWEALTH  
OF MASSACHUSETTS BY ITS DEPARTMENT  
OF PUBLIC HEALTH; HEALTHCARE  
CAPITAL RESOURCES, INC., AND HCFP  
FUNDING, INC., SUCCESSOR-IN-INTEREST  
TO HEALTH PARTNERS FUNDING, L.P.,

Defendants.

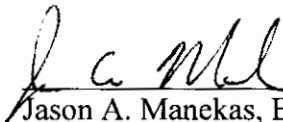
**DEFENDANT J GLAB LLC'S LIMITED OPPOSITION TO  
PLAINTIFF'S MOTION TO DEPOSIT SURPLUS PROCEEDS INTO COURT**

Defendant J Glab LLC files this limited opposition to Plaintiff's Motion to Deposit Surplus Proceeds into Court ("Motion to Deposit"). J Glab LLC states that it has not yet been established what amount Plaintiff was entitled to deduct from the proceeds from the foreclosure

sale. Although it has not yet been established what amounts Plaintiff may properly deduct, J Glab LLC has no objection to Plaintiff depositing what purport to be the remaining funds into Court provided that such action not be deemed a waiver of any of J Glab LLC's rights to contest whether the amount deposited is, in fact, the correct amount. In addition, J Glab LLC objects to the Motion to Deposit to the extent it seeks an award of attorneys' fees to Plaintiff for the filing of this action, especially as there has been no determination that Plaintiff is entitled to such fees and no determination as to the proper amount of attorneys' fees, if any, it seeks to deduct.

WHEREFORE, J Glab LLC has no objection to the Court permitting Plaintiff to deposit the purported surplus proceeds into Court provided such action not be deemed a waiver of J Glab LLC's rights to contest whether that amount is proper or whether Plaintiff is entitled to additional attorneys' fees for bringing the current action.

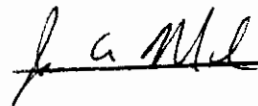
J GLAB LLC,  
By its attorneys,

  
\_\_\_\_\_  
Jason A. Manekas, Esquire, BBO No. 632073  
Bernkopf Goodman LLP  
125 Summer Street, Suite 1300  
Boston, Massachusetts 02110  
Telephone: (617) 790-3000  
Facsimile: (617) 790-3300

Dated: September 20, 2005  
#322917 v1/36503/66

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon (each party appearing pro se and) the attorney of record for each other party by mail (by hand) 9/20/05

  
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